

will demand to know whether you began at the beginning and cleared out all who held office under the late government; and when they are told no; such persons have been considered eligible to place under the new government, and no questions asked, they will scout the precedent of 1777, and say if we are to be purged with this great oath or leave the country, those who held the offices, and received their compensations under the old government, should take a dose that would unbreach a cannon, at least before they are trusted with official power. I apprehend, Sir, when the subject is viewed in this light, that many, though they have not slept for the last year like Rip Van Winkle, may come to the conclusion that there has been no very violent revolution after all, and that if there has, such terrible swearing is not Christian-like or decent.

Mr. President, the first and second sections of this ordinance are scarcely less objectionable than what I have been considering. The report of the committee informs us, that the offences therein enumerated, and which the committee calls sedition, were in the act of 1777, called misprision of treason. It is, therefore, reviving an obsolete high crime under a new and milder name. The American world, at least, has made some progress as to these crimes of *Loese Majesty*, treason, misprision of treason, etc., since 1777. It was a great point gained for human life and liberty, that in the Federal Constitution of 1787, treason was defined to consist *only* in levying war against the United States, or in adhering to their enemies, giving them aid and comfort; a provision that has been literally copied in the Constitution of the Confederate States—and by an ordinance of this body, into that of this State also. It is enough to make the blood run cold, now to review the history of what were at different times denominated and adjudged treason in England, and to remember what hetacombs of human victims the fluctuating state of the law, and its pliant and corrupt apministration [*sic*], to favor the views of the reigning sovereign or of his minions, carried to the scaffold and the gibbet. An extraordinary instance of treason by words, was mentioned in our discussion of this subject at the last session, where a man of note was put to death for declaring in a moment of irritation, on hearing of the shooting by the King, of his favorite stag, that “he wished the horns of the stag were in the King’s belly.” As Plutarch relates of Dionysius, the tyrant, that he capitally executed a subject for relating that he had dreamed he killed the King, saying it was proof that he thought of it while awake. Sir, the fate of Sidney and Russell, and a hundred other martyrs of that very